

**CITY OF KINGMAN
MEETING OF THE COMMON COUNCIL
Council Chambers
310 N. 4th Street**

6:00 P.M.

AGENDA

Monday, March 15, 2010

REGULAR MEETING

CALL TO ORDER & ROLL CALL---ALL COUNCILMEMBERS WERE PRESENT
INVOCATION will be given by Pastor Kent Simmons, Canyon Community Church
PLEDGE OF ALLEGIANCE

THE COUNCIL MAY GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL IN ACCORDANCE WITH A.R.S.38-431.03(A) 3 TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

1. APPROVAL OF MINUTES

The Regular Meeting minutes of March 1, 2010. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

2. APPOINTMENTS

Clean City Commission (CCC)

There are three vacancies on the CCC. One term expires in December 2010 and the other two terms expire in December 2011. The CCC considered the applications of Celia E. Caskey, Janice L. Palmer, and Daniel Swaine. **The CCC recommends the appointment of Celia Caskey to the December 2010 term and the appointment of Daniel Swaine to the December 2011 term. MOTION TO APPOINT CASKEY AND SWAINE WAS APPROVED BY A VOTE OF 7-0**

3. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC

Those wishing to address the Council should fill out request forms in advance. Action taken as a result of public comments will be limited to directing staff to study the matter or rescheduling the matter for consideration and decision at a later time. Comments should be limited to no longer than 3 minutes.

4. CONSENT AGENDA

All matters listed here are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the CONSENT AGENDA and will be considered separately.

a. Special Event Liquor License Application

Agent and Applicant Beverly Liles of the Kingman Area Chamber of Commerce, has applied for a Special Event Liquor License, for a fundraiser to be held on April 10, 2010, from 4:00 p.m. to 11:00 p.m. at the Powerhouse, located at 120 W. Andy Devine, Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

b. Extension of Premises Permit Application

Agent and Applicant Krystal Burge of the Dambar and Steakhouse has applied for an Extension of Premises, for the date of May 28, 2010 at the Dambar and Steakhouse, 1960 E. Andy Devine, Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

c. Transfer ownership of forfeited weapons from the Kingman Police Department to the Bullhead City Police Department.

The following weapons were seized for forfeiture as a result of a criminal investigation conducted by the Bullhead City MAGNET: Mossburg shotgun (CV-2009-1508); Interarms .380, Smith and Wesson 9mm, Lorcin .380, Tanfoglio 9mm, Smith and Wesson .38, Maverick 12 gauge (CV-2008-1688); Rohm .22, Ruger Red Hawk, Remington 12 gauge (CV-2009-1301); Ruger 9mm, Browning 9mm, Remington 870 (CV-2008-2072); Smith and Wesson .357 (CV-2008-2025). On February 11, 2010 the MAGNET Board conducted a vote in reference to returning the weapons to the Bullhead City Police Department. The vote resulted in the approval of returning the weapons by the board. **Staff recommends approval of the transfer. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

d. Resolution No. 4662 – Modifying Assessment No. 0510024-B for the Airway Avenue Railroad Crossing Improvement District

City Staff has initiated this proposed modification of Assessment No. 0510024-B for the Airway Avenue Railroad Crossing Improvement District. Assessment No. 0510024-B is currently allocated to Vanderbilt Farms, LLC, even though a portion of this assessment includes the new hospital properties. This modification will reallocate the original assessment into 5 new assessments based on current lot configuration and ownership. Four of the assessments will be for the hospital properties listed under Doctor's Community Hospital, LLC and one will be for the commercial property listed under Kingman, LLC. This modification will allow staff to send assessment pay requests to the rightful owners, and if necessary, take proper legal actions for any delinquent payments. Notice has been given to the current owners and no objections to this modification have been received. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

e. Change Order No. 2 for Water Tank Construction and Restoration with Paso Robles Tank, Inc., Engineering contract ENG09-018

Paso Robles Tank is proceeding with the construction of a new tank at City Well No. 11 and restoration of the existing Beale Springs and Rancho Santa Fe tanks. The Inspection staff has identified numerous external coating issues with the East Bench Tank. Paso Robles Tank has submitted a firm price to recoat the tank at a substantial savings due to the fact that they are already mobilized. Paso Robles has requested a net change in the amount of \$ 25,350.01 to cover this work. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

f. KART Operating Policy & Procedure Manual

The Transit Advisory Commission at their Quarterly meeting approved the KART Operating Policy & Procedure Manual and to forward it to the Mayor and Council for their approval, Section I, Chapters 1-15 as presented. **Staff recommends approval of the KART Operating Policy and Procedure Manual as presented. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0 WITH COUNCILMEMBER GORDON RECUSING HERSELF.**

g. Approval of Agreement with Felix Construction for Construction Manager at Risk services related to the design and upgrade of the Downtown Wastewater Treatment Plant, Project ENG07-040

Staff has completed the process for selecting a Construction Manager at Risk (CMAR) for the Downtown Wastewater Treatment Plant. The CMAR selection process is governed by Arizona Revised Statute 34-603 and requires that a committee review proposals and select the Contractor on the basis of demonstrated competence and qualifications. Staff is recommending that Felix Construction be hired in two phases. Phase one will cover design phase assistance. The design of the treatment plant is expected to be complete by January 2011. Phase two will cover complete construction of the sewer plant. Felix has prepared a proposal to complete the design phase assistance for \$139,725 in compensation. **Staff recommends that the Agreement with Felix Construction be approved and the Mayor be authorized to sign on behalf of the City. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

h. Agreement with SouthWest Traffic Engineering, LLC for design of a traffic signal at Airway Avenue and Yavapai Street, Project ENG09-049

Staff has requested a proposal from SouthWest Traffic Engineering, LLC for design of a traffic signal at the intersection of Airway Avenue and Yavapai Street. The one way traffic on Diamond Street and Yavapai Street will remain. The new signal will allow northbound traffic on Yavapai Street to enter Airway Avenue unimpeded on the green signal. Southbound traffic will continue to use Diamond Street in its current configuration. The signal at Airway and Yavapai is considered an interim solution with an estimated cost of about \$200,000. SouthWest has prepared a fee proposal to complete the signal design at Airway and Yavapai for \$29,050. The cost for this work will be paid from Transportation Impact Fees. **Staff recommends that the Agreement with SouthWest Traffic Engineering, LLC be approved and that the Mayor be authorized to sign on behalf of the City. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

i. Special Event Liquor License Application

Agent and applicant Lawrence Carver of the Kingman Elks Lodge #468, has applied for a Special Event Liquor License for the Harley River Run, April 22, 23, 24, 2010 from 10:00 a.m. to 7:00 p.m., to be held at Harley Davidson Mother Road and Motor Sports, located at 2501 Beverly Ave, Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

5. OLD BUSINESS

a. Development Investment Fee

The City of Kingman has been collecting development investment fees for about 4 years. Categories for which fees are collected include police, fire, general, transportation, parks, stormwater, water and sewer. Finance Director Coral Loyd will present a report of the fees collected and expended to date. Additional details on the level of collections and capital projects for which the fees have been spent will be presented. **Council may review, discuss and provide direction if so desired.**

b. Ordinance No. 1676--Rename of Economic Development and Tourism Commission (ETDC)

The Mayor and Common Council created the Economic Development and Marketing Commission (EDMC) which has overlapping duties and responsibilities with ETDC. After direction by the Mayor

and Common Council and a meeting with representatives from both ETDC and EDMC it was determined it was in the best interests of the City to rename EDTC to the Tourism Development Commission (TDC) as well as reassign the economic development duties to EDMC. **Council may consider Ordinance No. 1676 and provide direction to staff. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0**

c. Bed Tax Allocation

In 1987, Resolution 1110 was enacted thereby creating the Economic and Tourism Development Commission (ETDC) for the purpose of assisting the Council in establishing and maintaining economic and tourism development within the City. In accordance with this resolution, ETDC has provided recommendations to Council in regard to the disposition of room tax monies (2% room tax rate) including economic development initiatives until removed from the budget by Council action in 2006-07. Recently, Ordinance 1668 was adopted which increased the room tax rate from 2% to 4% and designated the additional 2% for capital projects. In addition, Council created the Economic Development and Marketing Commission (EDMC) and is considering changes to the name and responsibilities of ETDC. At the last Council meeting, staff was given direction to include a discussion of the bed tax allocation on an upcoming Council agenda. **Council may review, discuss and provide direction if so desired.**

6. NEW BUSINESS

Public Hearing and consideration of selecting projects for the FY 2010 Community Development Block Grant (CDBG) Regional Account Application

The City of Kingman intends to submit an application to the Arizona Department of Housing CDBG program for FY 2010 CDBG Regional Account funding by May 1, 2010 in the amount of approximately \$597,340. In compliance with CDBG program regulations, the City conducted a Public Hearing on January 14, 2010 to solicit possible projects from the community. Twelve proposals were identified. Of these twelve proposals, eight are City infrastructure projects, one is the City's Housing Rehabilitation program, one is a local community facility improvement project and two have been withdrawn. Staff has identified Option A which includes a combination of projects which are ranked according to necessity and overall benefit. **Staff recommends submitting to Arizona Department of Housing, the FY 2010 CDBG Regional Account Application which will include five activities identified in Option A of the funding summary, submitting a "back-up" application for further Housing Rehabilitation activities and authorize the Mayor to sign all CDBG grant related documents. MOTION TO APPROVE OPTION A WITH THE CHANGES OF MOVING \$30,700 (FIRST ST. & SPRUCE CITY WATERLINE) AND \$33,300 (GOLDROAD ALLEY CITY WATERLINE) TO THE BOYS AND GIRLS CLUB RENOVATIONS WAS PASSED BY A VOTE OF 7-0**

7. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER

If needed

ADJOURNMENT---MOTION TO ADJOURN WAS PASSED BY A VOTE OF 7-0

Posted _____ by _____